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FORT LAUDERDALE CITY COMMISSION
DECEMBER 19, 2000**

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**MINUTES OF A REGULAR MEETING
CITY COMMISSION
FORT LAUDERDALE, FLORIDA
DECEMBER 19, 2000**

Meeting was called to order at 6:19 P.M. by Mayor Naugle on the above date, City Commission Meeting Room.

Roll call showed:

Present: Commissioner Gloria F. Katz
Commissioner Carlton B. Moore (6:23)
Commissioner Cindi Hutchinson
Commissioner Tim Smith (6:21)
Mayor Jim Naugle

Absent: None

Also Present:	City Manager	F. T. Johnson
	City Attorney	Dennis E. Lyles
	City Clerk	Lucy Masliah
	Sergeant At Arms	Sgt. Roddy

Invocation was offered by *Pastor Louis Abel*, Trinity Lutheran Church

Pledge of Allegiance to the Flag.

Motion made by Commissioner Hutchinson and seconded by Commissioner Katz that the agenda and minutes of the meeting as shown below be approved:

Regular Meeting December 12, 2000

Roll call showed: YEAS: Commissioner Hutchinson, Katz, and Mayor Naugle. NAYS: None.

Note: All items were presented by Mayor Naugle unless otherwise shown, and all those desiring to be heard were heard. Items discussed are identified by the agenda number for reference. Items not on the agenda carry the description "OB" (Other Business).

PRESENTATIONS (OB)

1. Expressions of Sympathy

Mayor Naugle presented Expressions of Sympathy, on behalf of the City Commission, to the families of Thomas Royal and Ed Fass.

2. Fire Prevention Week – “The Great Escape Contest”

Commissioner Katz announced the winners of “The Great Escape Contest,” held in conjunction with Fire Prevention Week. Chief Allen advised that the National Fire Protection Association had started this contest in 1922, and this was the third year that home fire escape drills had been practiced. He reported that 57 third-grade classrooms had participated in the Contest this year and, of the 1,000 home escape plans turned in, the winner was *Scott Edward Irving*, of Riverland Elementary School. Chief Allen expressed appreciation to the sponsors of the contest – Regal Cinemas, Las Olas Riverfront, Toys R Us, and Target – along with the participants and the Commissioners.

3. Olympic Torch City

Commissioner Smith announced that the City of Fort Lauderdale had been named an Olympic Torch City for the 2002 Winter Games in Salt Lake City, Utah. He explained that the Olympic Flame would arrive in Fort Lauderdale on December 8, 2001 as part of a 65-day journey across the country to Salt Lake City culminating on February 8, 2002. Commissioner Smith unveiled the 2002 Olympic Torch Relay Flag, which would fly in front of City Hall from now until the end of the 2002 Winter Games.

4. Community Appearance Board’s WOW Award

Commissioner Moore presented the Community Appearance Board’s WOW Award to:

Charlie and Stephanie Harlis
829 Northwest 2nd Street

He stated that the structure had been built a year ago, and it had been beautifully landscaped and well maintained. Commissioner Moore presented Mr. and Mrs. Harlis with the Award and a gift certificate from Causeway Lumber. He noted that this had been one of the new homes built through the First Time Homebuyers Program, and Mrs. Harlis expressed appreciation for the opportunity to build a home of her own.

5. Annual Recycle Corps Incentive Awards

The City Engineer introduced the City’s new Recycling Coordinator, Casey Heckles, and Commissioner Hutchinson presented the Annual Recycle Corps Incentive Awards to:

Tarpon River Neighborhood Association	\$ 513
South Middle River Civic Association	570
Poinciana Park Neighborhood Association	684
Lake Ridge Neighborhood Association	741
Coral Ridge Homeowners’ Association	798
Sunset Neighborhood Association	912
Lauderdale Manors Homeowners’ Association	1,197
Croissant Park Neighborhood Association	1,311

Mayor Naugle noted that recycling was particularly important now that the County Incinerator was charging \$80 a ton to dispose of garbage. He encouraged all neighborhood associations to participate.

6. Community Area Planning (CAP) Program

Commissioner Moore presented a personal donation of \$1,000 to *Mr. Jay Hering*, President of the South Middle River Civic Association in recognition of its participation in the CAP Program to make the community better. He explained that he had issued a challenge to neighborhoods to encourage participation in the CAP Program, and he congratulated staff on a well-run program at Mills Pond Park. Mr. Hering was pleased this program had been initiated so each neighborhood could have a voice in redevelopment.

7. Sunset Civic Association

Commissioner Moore presented Certificates of Appreciation to the new Recycling Coordinator, the Police Department, the Parks & Recreation Department, and to the City on behalf of the Sunset Civic Association.

8. Red Carpet Event

Commissioner Smith presented plaques to the sponsors of the Red Carpet Event, which was a collaborative effort of the City, the Broward Alliance, and the Downtown Development Authority (DDA) to bring new companies and corporations into the community. In addition, to those organizations, sponsors included the Marine Industries Association of South Florida (MIASF), Fort Lauderdale Water Taxi, All Star Limousine, the Executive Airport, the Hyatt Regency, Pompano Helicopters, Stiles Corporation, Miller Construction, and Arvida Realty.

Mr. Jerry Sternstein, of the DDA, said he had been pleased to be part of this effort and enjoyed working with City staff. He hoped more of these economic development events would be held in the future, and he expressed appreciation for this recognition. *Ms. Kim Liberty*, of the Broward Alliance, thanked the Commission for this opportunity to work with the City on this wonderful event.

9. Commendation – Scott Miller

Commissioner Katz presented a Commendation to *Mr. Scott Miller*, Development Review Coordinator, on the occasion of his 10th anniversary with the City and his decision to pursue his career in the San Francisco Bay area. She extended best wishes, on behalf of the City Commission, for many happy and successful years in his new endeavors. Mr. Miller appreciated this unexpected recognition and said it had been a rewarding decade during which he had enjoyed working for the City and being a resident of Fort Lauderdale.

10. Commendation – Croissant Park Elementary School

Commissioner Hutchinson presented a commendation to *Ms. Cheri Zahn*, Principal of Croissant Park Elementary School. *Mr. John Wilkes*, Chairman of the Education Advisory Board, was on hand for this occasion, along with several other members of the Board. Commissioner Hutchinson announced that Ms. Zahn was the first Principal to win the Broward County School's Acclaim Award. Ms. Zahn expressed appreciation for this recognition on behalf of all the educators and administrators who did their very best to educate the children of this community.

CONSENT AGENDA (CA)

The following items were listed on the agenda for approval as recommended. The City Manager reviewed each item and observations were made as shown. The following statement was read:

Those matters included under the Consent Agenda are self-explanatory and are not expected to require detailed review or discussion. Items will be enacted by one motion; if discussion is desired by any Commissioner or member of the public, however, that item may be removed from the Consent Agenda and considered separately.

Event Agreement – Martin Luther King Parade (M-1)

A motion authorizing the proper City officials to execute an Insurance, Indemnification, and Hold Harmless Agreement with the **Broward County Dr. Martin Luther King, Jr. Memorial Committee** to indemnify, protect, and hold harmless the City from any liability in connection with the **Martin Luther King Parade** to be held **Monday, January 15, 2001 from 9:00 a.m. to 11:00 a.m.**; and further authorizing the closing of the following portion of the parade route that takes place within the city limits: beginning at Mount Olive Baptist Church at N.W. 4 Street and N.W. 9 Avenue, proceeding north on N.W. 9 Avenue to Sistrunk Boulevard, and west on Sistrunk Boulevard to N.W. 24 Avenue.

Recommend: Motion to approve.

Exhibit: Memo No. 00-1848 from City Manager.

Event Agreement – Himmarshee Village Antique Show (M-2)

A motion authorizing the proper City officials to execute an Insurance, Indemnification, and Hold Harmless Agreement with the **Old Town at Riverwalk Merchants Association** to indemnify, protect, and hold harmless the City from any liability in connection with the **Himmarshee Village Antique Show** to be held **on the following Sundays from 11:00 a.m. to 7:00 p.m.: January 7, 21, February 4, 18, March 4 and 18, 2001**; and further authorizing the closing of S.W. 2 Avenue from S.W. 2 Street to the Riverwalk from 5:00 a.m. to 10:00 p.m. on each of the listed event Sundays.

Recommend: Motion to approve.

Exhibit: Memo No. 00-1844 from City Manager.

Event Agreement – Winter Walk (M-3)

A motion authorizing the proper City officials to execute an Insurance, Indemnification, and Hold Harmless Agreement with the **School Board of Broward County** to indemnify, protect, and hold harmless the City from any liability in connection with **Winter Walk** to be held **Saturday, February 10, 2001 from 9:00 a.m. to 2:00 p.m.**; and further authorizing the closing of the following route from 9:30 a.m. to 11:30 a.m.: beginning at Lockhart Stadium, proceeding south on Fusion Boulevard to Executive Airport Perimeter Road, around the Airport to N.W. 28 Way, and north to Cypress Creek Road. At Cypress Creek Road, walkers will then use sidewalks to continue east to Fusion Boulevard, and south to return to Lockhart Stadium.

Recommend: Motion to approve.

Exhibit: Memo No. 00-1852 from City Manager.

Event Agreement – Super Block Party (M-4)

A motion authorizing the proper City officials to execute an Insurance, Indemnification, and Hold Harmless Agreement with the **Old Town at Riverwalk Merchants Association** to indemnify, protect, and hold harmless the City from any liability in connection with the **Super Block Party** to be held **Sunday, January 28, 2001 from 5:00 p.m. to 11:00 p.m.**; and further authorizing the closing of S.W. 2 Street from S.W. 2 Avenue west to the exit from the old post office parking lot in the 300 block, and S.W. 3 Avenue from Broward Boulevard to S.W. 2 Street from 12:00 noon Sunday, January 28, to 2:00 a.m. Monday, January 29, 2001.

Recommend: Motion to approve.

Exhibit: Memo No. 00-1851 from City Manager.

Transfer of Central Services Retained Earnings – Continuation of Telecommunications Consulting Services – Baller Herbst Law Group, P.C..... (M-5)

A motion authorizing the transfer of \$80,000 from the Central Services Retained Earnings Fund to the Administrative Services Department to provide additional funding to continue the telecommunications consulting services of the Baller Herbst Law Group, P.C. (Also see Items O-5 and O-8 on this Agenda)

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 00-1792 from City Manager.

Transfer of General Fund Contingencies – Purchase of Pickup Truck for the Marine Facilities Office (M-6)

A motion authorizing the proper City officials to transfer \$23,000 from General Fund Contingencies to ADM030501-6416 for the purchase of a ¾ ton pickup truck for the operation and maintenance of trash located in the City's downtown marine facilities including the New River Docks and Cooley's Landing Marina.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 00-1764 from City Manager.

Nonprofit Acquisition and Improvement Loan (NAIL) – Covenant House (M-7)

A motion authorizing the proper City officials to execute a NAIL with Covenant House in the amount of \$72,355.

Recommend: Motion to approve.

Exhibit: Memo No. 00-1846 from City Manager.

Lease Agreement – Flotilla Two, Inc. – U.S. Coast Guard Auxiliary Building (M-8)

A motion authorizing the proper City officials to execute a lease agreement with Flotilla Two, Inc. for use of the U.S. Coast Guard Auxiliary Building and premises located at 601 Seabreeze Boulevard for a term of one year commencing January 1, 2001 through December 31, 2001.

Recommend: Motion to approve.

Exhibit: Memo No. 00-1758 from City Manager.

**Tripartite Agreement – Broward County and
19th Street Investors – “Carosella Plat” (PZ Case No. 118-R-00) (M-9)**

A motion authorizing the proper City officials to execute a tripartite agreement with Broward County and 19th Street Investors, Inc. regarding the issuance of building permits prior to recordation of the “Carosella Plat.”

Recommend: Introduce motion.

Exhibit: Memo No. 00-1836 from City Manager.

**Office Lease Agreement – Pavi Management, Inc. -
Redevelopment Services and Marine Facilities Office (M-10)**

A motion authorizing the proper City officials to execute a lease agreement with Pavi Management, Inc. for the Redevelopment Services and Marine Facilities administrative office located at 408 South Andrews Avenue for a term of one year, effective January 1, 2001 through December 30, 2001.

Recommend: Motion to approve.

Exhibit: Memo No. 00-1866 from City Manager.

**Transfer of Law Enforcement Trust Fund (LETf) –
Broward County Commission on Substance Abuse
(United Way) – BYRNE MEMORIAL Anti-Substance Abuse Grant Program (M-11)**

A motion authorizing the transfer \$7,934 of LETf Fund 104 to Fund 129, Miscellaneous Grants, for the BYRNE MEMORIAL Anti-Substance Abuse Grant Program; and further authorizing the proper City officials to execute all documents necessary with the United Way for the Broward County Commission on Substance Abuse to expend such funds.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 00-1776 from City Manager.

**Contract Award – Recreational Design and Construction, Inc. –
Project 10190 – City Entry Sign on Davie Boulevard and S.W. 39 Avenue (M-12)**

A motion authorizing the proper City officials to execute an agreement with Recreational Design and Construction, Inc. in the amount of \$35,251 for construction of a city entry sign at Davie Boulevard and S.W. 39 Avenue.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 00-1802 from City Manager.

**Contract Award – Poole and Kent – Project 10129 – G. T. Lohmeyer
Wastewater Treatment Plant Effluent Pump Station Expansion (M-13)**

A motion authorizing the proper City officials to execute an agreement with Poole and Kent in the amount of \$6,112,000 for the expansion of the effluent pump station at the G. T. Lohmeyer Wastewater Treatment Plant.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 00-1847 from City Manager.

**Change Order No. 1 – Siga, Incorporated -
Project 10173 – 13 Street Roadway Improvements (M-14)**

A motion authorizing the proper City officials to execute Change Order No. 1 with Siga, Incorporated in the amount of \$32,884 to install additional landscaping in the medians for the 13 Street roadway improvements.

Funds: See Change Order

Recommend: Motion to approve.

Exhibit: Memo No. 00-1822 from City Manager.

**Contract Negotiations -
ABB Automation, Inc. – Project 10163 – Process Control Upgrade (M-15)**

A motion approving the Selection Committee's recommendation to commence contract negotiations with ABB Automation, Inc. for process control upgrades to the City's treatment plants and pump stations.

Recommend: Motion to approve.

Exhibit: Memo No. 00-1858 from City Manager.

S.W. 2 Street – Use of On-Street Parking Spaces on Friday and Saturday Evenings (M-16)

A motion authorizing a trial use of the on-street parking spaces on S.W. 2 Street between S.W. 2 Avenue and S.W. 4 Avenue for pedestrians on Friday and Saturday evenings between the hours of 6:30 p.m. Fridays to 4:00 a.m. Saturdays, and from 6:30 p.m. Saturdays to 4:00 a.m. Sundays.

Recommend: Motion to approve.

Exhibit: Memo No. 00-1869 from City Manager.

**Option to Extend Lease Agreement –
Florida Department of Transportation (FDOT) -
Right-of-Way on State Road A-1-A for Sidewalk Cafes (M-17)**

A motion authorizing the proper City officials to exercise an option to extend a lease agreement with FDOT for a portion of the right-of-way on northbound State Road A-1-A from S.E. 5 Street to Alhambra Street.

Recommend: Motion to approve.

Exhibit: Memo No. 00-1807 from City Manager.

Encroachment Agreement –**John F. Tenaglia - Decorative Lights at 1776 S.E. 10 Street (M-18)**

A motion authorizing the proper City officials to execute an encroachment agreement with John F. Tenaglia to allow decorative lights located at 1776 S.E. 10 Street to extend in the right-of-way by approximately four to ten (4-10) inches at approximately three (3) feet above grade.

Recommend: Motion to approve.

Exhibit: Memo No. 00-1799 from City Manager.

Reimbursement of Costs – Florida East Coast**(FEC) Railway Company – Reconstruction of S.W. 17 Street Crossing (M-19)**

A motion approving the payment of \$55,411.18 to the FEC as reimbursement for the reconstruction of the S.W. 17 Street railroad crossing.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 00-1861 from City Manager.

Revocable License Agreement –**Fort Lauderdale Transportation Management****Association (TMA) – Construction of Bus Shelters on City Right-of-Way (M-20)**

A motion authorizing the proper City officials to execute a revocable license agreement with the TMA for the construction of three (3) bus shelters in the City's right-of-way. (Please see Item R-2 on this Agenda)

Recommend: Motion to approve.

Exhibit: Memo No. 00-1864 from City Manager.

CCNA Contract Negotiations -**Keith and Schnars, P.A. – General Civil Engineering Consultant Services (M-21)**

A motion approving the Consultant Selection Committee's recommendation to commence contract negotiations with Keith and Schnars, P.A. for general civil engineering consultant services.

Recommend: Motion to approve.

Exhibit: Memo No. 00-1805 from City Manager.

PURCHASING AGENDA

Proprietary Purchase – Maintenance/Support UNISYS Software and Hardware (Pur 1)

Two-year agreement for maintenance/support for UNISYS software and hardware by Administrative Services, Information Systems is being presented for approval.

Low Responsible Bidder: UNISYS, Miami, FL
Amount: \$19,000.32 (estimated annual)
Bids: N/A
Exhibits: Memorandum No. 00-1813 from City Manager

The Purchasing Division reviewed this item and supports the recommendation to approve the proprietary purchase.

State and Sheriff's Contract – 12 Unmarked Detective Automobiles (Pur 2)

An agreement to purchase 12 unmarked detective automobiles for the Police Department is being presented for approval.

Low Responsible Bidder: Garber Chevrolet, Green Cove Springs, FL
Regency Dodge, Jacksonville, FL
Hill-Kelley Dodge, Pensacola, FL
Gus Machado Ford, Hialeah, FL
Maroone Dodge, Miami, FL
Amount: \$202,215.00 (estimated)
Bids: N/A
Exhibits: Memorandum No. 00-1163 from City Manager

The Purchasing Division reviewed this item and supports the recommendation from the Florida State and Sheriff's Contract with a transfer of \$230,000 from the Law Enforcement Trust Fund for purchase on Vehicle O&M (POL050201-4373).

Proprietary Purchase – Maintenance for Fire/EMS ADAM and CAD Analysts(Pur 3)

An annual maintenance for Fire/EMS ADAM and CAD analysts by the Fire Rescue Department is being presented for approval.

Low Responsible Bidder: Deccan, Inc., San Diego, CA
Amount: \$13,500.00
Bids: N/A
Exhibits: Memorandum No. 00-1787 from City Manager

The Purchasing Division reviewed this item and supports the recommendation to approve the proprietary agreement renewal.

Bid 712-8410 – Swimming Pool Resurfacing at Hall of Fame Pool (Pur 4)

An agreement to purchase swimming pool resurfacing at the Hall of Fame Pool by the Parks and Recreation Department is being presented for approval.

Low Responsible Bidder: Ultimate Pools, Inc., Davie, FL
Amount: \$11,490.00
Bids: 9/1
Exhibits: Memorandum No. 00-1835 from City Manager

The Purchasing Division recommends award of this bid for swimming pool resurfacing.

Proprietary Purchase – Software Maintenance Agreement (Pur 5)

An agreement to purchase software maintenance agreement for the Police Department is being presented for approval.

Low Responsible Bidder: THE-UCS, Fort Lauderdale, FL
Amount: \$86,031.00
Bids: N/A
Exhibits: Memorandum No. 00-1838 from City Manager

The Purchasing Division reviewed this item and supports the recommendation to approve the proprietary purchase.

State – Information Systems Consultant Services (Pur 6)

An agreement to purchase consultant services for the Police Department Information Systems Division is being presented for approval.

Low Responsible Bidder: Ajilon Services, Fort Lauderdale, FL
Amount: \$127,680.00 (estimated)
Bids: N/A
Exhibits: Memorandum No. 00-1672 from City Manager

The Purchasing Division reviewed this item and supports the recommendation from the Florida State Contract.

The City Manager stated that the amount shown on the agenda in connection with **Item No. M-6** was incorrect, although the correct amount of \$11,586 had been reflected on the back-up memorandum. He also announced that the amount of transfer associated with **Item No. M-14** was \$16,214, and the money would come from the Tree Fund rather than Street Roadway Improvements.

Motion made by Commissioner Smith and seconded by Commissioner Hutchinson that Consent Agenda Item Nos. M-5, M-6, M-10, M-13, M-14, and M-20 be deleted from the Consent Agenda and considered separately, and that all remaining Consent Agenda Items be approved as recommended. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

**Transfer of Central Services Retained Earnings –
Continuation of Telecommunications Consulting Services –
Baller Herbst Law Group, P.C. (M-5)**

Commissioner Moore said he had only pulled this item from the Consent Agenda in order to publicly recognize how well the consultant had performed.

Motion made by Commissioner Moore and seconded by Commissioner Hutchinson that Consent Agenda Item No. M-5 be approved as recommended. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

**Transfer of General Fund Contingencies –
Purchase of Pickup Truck for the Marine Facilities Office (M-6)**

Commissioner Smith was not convinced that this purchase was necessary this year. He said he had recently observed the existing pick-up truck pulling away, and it had been half empty at the time. Mr. Jamie Hart, Supervisor of Marine Facilities, thought Commissioner Smith might have observed the truck during a final run. He stated that 3 or 4 runs were necessary, and trash had overflowed the truck in the past due to the overload.

Commissioner Smith understood this was a carry forward item and, if it was so necessary, he did not understand why the truck had not been purchased in a more timely fashion. Mr. Hart stated that there had been quite a few carry forward items, and staff had not anticipated that they would be considered individually. Therefore, there had not been enough time for a more complete proposal.

Commissioner Smith thought some of the carry forward monies should be saved for some union contract benefits that had been approved. He felt that items that were not essential should be budgeted next year rather than funded with carry forward funds.

Commissioner Moore asked Mr. Hart why he felt this purchase was necessary now. Mr. Hart explained that existing equipment was over capacity, particularly due to the tour boats docked on the New River. He stated that without sufficient equipment, it would not be possible to keep the Riverwalk clean. Mr. Hart noted that boats left trash behind much like that generated by households. He also advised that the trucks used for this purpose doubled for other duties as well, resulting in manpower savings.

The City Manager recalled that there had been a number of carry forward items in the budget, and the Commission had directed staff to present these items individually. He believed the last discussion in this regard had involved the capacity of the truck. The City Manager suggested that rather than voting against this operational recommendation, no action be taken today pending additional information.

**Office Lease Agreement – Pavi Management, Inc. –
Redevelopment Services and Marine Facilities Office (M-10)**

Mayor Naugle believed there was an error in the back-up material that indicated this had gone to the Marine Advisory Board for review. However, the matter had actually been rejected by a tie vote of the Commission and, in order for it to be reconsidered, a motion for reconsideration was necessary from a Commissioner on the prevailing side. Commissioner Smith did not care to reconsider the item, and nor did Mayor Naugle.

**Contract Award – Poole and Kent – Project 10129 –
G. T. Lohmeyer Wastewater Treatment Plant
Effluent Pump Station Expansion (M-13)**

Commissioner Smith wanted to discuss this subject during a Conference meeting. He pointed out that it was a complicated matter and involved a great deal of money, and there had been no conversation about why these belt presses were needed. Commissioner Moore's only concern was timing.

Mr. Greg Kisela, Assistant City Manager, said this would allow enough effluent for the fifth injection well installed several years ago. He recalled a discussion a few weeks ago about implementation of the Master Plan, and this pump station was critical. Commissioner Smith believed staff had promised to come back after development of the Master Plan with some different formulas. He had expected all that information to be presented again at a future Conference meeting. Mr. Kisela stated that a report was scheduled for the second meeting in January with respect to the 20-year Master Plan, but this was part of the routine recapitalization of the Lohmeyer Plant.

Mayor Naugle asked when the Commission had approved this within the Capital Improvements Program (CIP). Mr. Frank Coulter, Public Services Department, stated that the Region generated its money in a replacement and recapitalization fund. He advised that the money for this project had been saved up over the past 15 years. Mr. Coulter explained that the City Commission approved a CIP contribution of \$1 million to \$1.5 million each year for toward this equipment recapitalization fund.

Mayor Naugle asked when the Master Plan had been presented, and Mr. Coulter believed that had been presented in concept in October. Commissioner Smith asked if it would hurt to delay this action until January. Mr. Kisela replied that the only potential harm would be to the re-rating of the Treatment Plant to 57 million gallons a day. He stated that this was the last component toward that re-rating of capacity. Mr. Coulter added that staff had met on Monday with the County about the flow at the Plant and plans for increasing capacity. A meeting had been scheduled with the State for Thursday because everyone was quite concerned about the capacity.

Commissioner Smith felt this was "putting the cart before the horse." He did not know, for example, that it would be necessary to re-rate the Plant. Mayor Naugle thought the reason for re-rating it was in order to sewer the remaining portions of the City. Mr. Kisela explained the intent of re-rating the Plant was to meet peak periods and not just to sewer the other portions of the community. Mayor Naugle understood it would also take care of growth in the downtown area and the beach area.

Mr. Coulter pointed out that this item involved replacement of pumps that had been in service for over 15 years. Commissioner Smith inquired as to the expected life span. Mr. Coulter believed it could range from 10 to 15 years, and they could not last much longer. He stated that they were still running, but they had exceeded the expected life span.

Commissioner Smith felt this was too large a project for approval on the Consent Agenda, and he felt it should be discussed at Conference first. The City Manager thought this project might be confused with the report promised for January dealing with recommendations and analysis for sewerage the rest of the City without adverse impacts on current and future rate payers. He acknowledged that this item involved a substantial amount of money, but it was part of the Master Plan the Commission approved previously. The City Manager stated that this would be a needed component regardless of whether or not the Commission decided to move forward with sewerage the rest of the City under the Master Plan.

Commissioner Moore pointed out that money had been saved each year in order to re-rate the Plant as a normal maintenance practice, and he felt the Commission should move forward on this item as recommended. However, he did not wish to miss this opportunity to mention the need for Commissioners to serve on the evaluation committees when these types of bids were reviewed.

Motion made by Commissioner Smith to defer this item to January 17, 2001. Motion died for lack of a second.

Motion made by Commissioner Moore and seconded by Commissioner Hutchinson that Consent Agenda Item No. M-13 be approved as recommended. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, and Mayor Naugle. NAYS: Commissioner Smith.

**Change Order No. 1 – Siga, Inc. – Project 10173 –
13th Street Roadway Improvements (M-14)**

Motion made by Commissioner Hutchinson and seconded by Commissioner Moore to approve Consent Agenda Item No. M-14 as clarified earlier by the City Manager. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

**Revocable License Agreement – Fort Lauderdale
Transportation Management Association (TMA) –
Construction of Bus Shelters on City Right-of-Way (M-20)**

Commissioner Moore said he had pulled this item in order to publicly compliment staff and the TMA. Mayor Naugle noted that the location of the shelters would be State Road A-1-A between Castillo and Valencia Streets.

Motion made by Commissioner Moore and seconded by Commissioner Hutchinson that Consent Agenda Item No. M-20 be approved as recommended. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

**Access Easement Lease – Castillo Grand LLC –
Portion of the Southeast Corner of Castillo Street and
Southbound State Road A-1-A (PH-1)**

A public hearing was scheduled to consider a resolution authorizing the proper City officials to execute a lease with Castillo Grand LLC for a portion of the southeast corner of Castillo Street and southbound State Road A-1-A for a term of fifty (50) years.

The City Attorney announced, in accordance with Article A of the City Charter, this lease would have a term of 50 years, and the property was located at the corner of southbound A-1-A and Castillo Street. The easement would be used for ingress and egress onto the private property at that corner, which would be operated as the St. Regis Hotel. He stated that the initial rent would be \$1,000 per year, subject to annual CPI adjustments, and the tenant was required to also make improvements, including the installation of brick pavers, landscaping and irrigation. The City Attorney stated that the remaining terms of the agreement were standard.

Mayor Naugle called for those who wished to be heard. There were none.

Motion made by Commissioner Smith and seconded by Commissioner Moore to close the public hearing. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

Commissioner Smith introduced a written resolution entitled:

RESOLUTION NO. 00-180

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A LEASE WITH CASTILLO GRAND, L.L.C., A FLORIDA LIMITED LIABILITY COMPANY FOR THE LEASE OF AN INGRESS/EGRESS EASEMENT ACROSS CITY OWNED LANDS LOCATED GENERALLY AT 3000 CASTILLO STREET, FORT LAUDERDALE, FLORIDA AND MORE PARTICULARLY DESCRIBED BELOW.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

Application for Non-Motorized Rickshaws – American Rick-Shaw, Inc. (PH-2)

A public hearing was scheduled to consider approving the ten (10) non-motorized rickshaws over specific routes in the City, pursuant to Sections 27-227 and 27-228 of the City's Code of Ordinances, that were approved for a six-month trial basis on April 18, 2000; and further approving an application from American Rick-Shaw, Inc. to operate an additional ten (10) non-motorized rickshaws over specific routes in the City. Notice of the public hearing was published on November 30, 2000 and December 7, 2000. On December 12, 2000, the City Commission deferred consideration of this item to December 19, 2000 by a vote of 5 to 0.

Mayor Naugle called for those who wished to be heard. The following appeared:

Mr. Jay Alexander recalled that a temporary application to operate 10 non-motorized rickshaws had been approved in April. At that time, he had spoken in opposition and, since then, American Rick-Shaw had not operated one rickshaw in Fort Lauderdale. He stated that two companies had operated in Fort Lauderdale, and one had operated without the required licenses or insurance from June to December.

Mr. Alexander did not feel the City had addressed the issues associated with rickshaws, which he felt should be addressed in order for the operation to be good for Fort Lauderdale instead of a public nuisance. He said that if this application was approved, there would be 60 rickshaws licensed in Fort Lauderdale on the beach, on Las Olas Boulevard and in the downtown area. He felt there were traffic and congestion issues that had not been addressed, and there was no designated rickshaw drop-off or pick-up area. Mr. Alexander wondered who monitored rickshaw operations on behalf of the City to ensure compliance with regulations, such as insurance requirements.

Commissioner Moore understood Mr. Alexander was concerned about enforcement of regulations, but he did not think that had anything to do with this particular operator being granted a license. He pointed out that this operator was attempting to follow the rules even if other operators were not complying with regulations. Mr. Alexander thought the temporary license had been issued to allow for a trial period, but this company had not operated at all during the trial period.

Commissioner Smith did not understand Mr. Alexander's opposition. He understood him to have indicated that there were no rickshaws operating in Fort Lauderdale, but he saw them from time to time. Mr. Alexander stated that there was a difference between rickshaws and pedicabs. He advised that he had several rickshaws, but pedicabs were powered like bicycles. Commissioner Smith still did not understand the nature of Mr. Alexander's opposition. He said he was concerned that if the City continued to grant these licenses, there would be too many, and rickshaws would become a public nuisance on the roads. Commissioner Smith asked him how many he felt would be appropriate. Mr. Alexander did not feel he could make that judgment, but there would be 60 if this application was approved.

Motion made by Commissioner Moore and seconded by Commissioner Smith to close the public hearing. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

Commissioner Hutchinson was concerned that the applicant was not present. Ms. Lori Milano, Community Inspections Bureau, stated that the applicant resided in Montreal. He had not been able to attend this meeting, but he had asked that the application be presented. Ms. Milano recalled that this applicant had requested approval of 36 rickshaws in April, but only 10 had been approved.

Mayor Naugle inquired as to the fee for the license. Ms. Milano believed the fee was \$150. Commissioner Katz asked about the proposed routes, and Ms. Milano stated that the routes remained unchanged. Commissioner Katz believed she indicated certain streets where she felt rickshaws would not be safe, but one of those streets was listed in the back-up material. Ms. Milano stated that those streets would be withdrawn. Mayor Naugle understood the applicant had listed those streets, but staff had removed it from the memorandum. Ms. Milano agreed that was correct.

Commissioner Katz noted that the Police Department had concerns about rickshaw operations. She agreed that regulations should be put in place to ensure safety. Commissioner Smith understood a six-month trial license had been granted in April, but the operator had not commenced operations. Ms. Milano said that she had heard Mr. Alexander make that statement, but it was incorrect. She noted that the Police Department had seen the American Rick-Shaw operation, although there had not been any significant incidents.

Mayor Naugle understood the applicant also operated in Toronto, Baltimore, and Ottawa. Ms. Milano agreed that was correct.

Motion made by Commissioner Moore and seconded by Commissioner Hutchinson to approve the request. Roll call showed: YEAS: Commissioners Moore, Smith, and Mayor Naugle. NAYS: Commissioners Hutchinson and Katz.

**Vacate a Portion of Northeast 5th Terrace -
Downtown Flagler Village, Ltd. (PZ Case No. 3-P-00) (O-1)**

At the Planning and Zoning Board regular meeting of June 21, 2000, it was recommended by a vote of 6 to 2 that the following application be approved. Ordinance No. C-00-75 was published on October 5 and 12, 2000. On October 17, 2000, first reading was deferred to November 7, 2000 by a vote of 5 to 0; on November 7, 2000, first reading was deferred to November 21, 2000 by a vote of 5 to 0; and, on November 21, 2000, first reading was deferred to December 12, 2000 by a vote of 4 to 0. On December 12, 2000, first reading was approved by a vote of 4 to 1 (Naugle).

Applicant:	Downtown Flagler Village, Ltd.
Request:	Vacate a portion of Northeast 5th Terrace
Location:	Northeast 5th Terrace between Northeast 5th Street and Northeast 4 th Street

Mr. Steven Kaplan, representing Cars International Limited, understood a 70' cul-de-sac was proposed, but his client was willing to pay the difference to increase it to 90'. Ms. Cecelia Hollar, Construction Services Director, stated that staff had not analyzed the cost of increasing the cul-de-sac to 90', but she noted that there would be a cost for land acquisition in addition to the increased construction cost.

Ms. Debbie Orshefsky, Attorney representing the applicant, stated that there had been considerable discussion in this regard. She pointed out that increasing the cul-de-sac to 90' would take additional land and intrude into the development parcel that had been assembled. Further, it could adversely affect the development potential of the adjacent property, and it was likely cars would be parked in the area. Ms. Orshefsky encouraged the Commission to stand by its previous decision to have a 70' cul-de-sac because of the kind of environment a larger cul-de-sac would create.

Commissioner Smith wondered if Cars International had considered the cost of purchasing the land. Mr. Kaplan did not believe so.

Commissioner Moore introduced the following ordinance on second reading:

ORDINANCE NO. C-00-75

AN ORDINANCE VACATING, ABANDONING AND CLOSING A PORTION OF NORTHEAST 5TH TERRACE (PLATTED AS 18TH STREET), AS SHOWN ON THE AMENDED PLAT OF "BLOCKS 1, 2, 3, 4, 5, 6, 7, 8, 25, 26, 27, 28, 29, 30, 31, 32 AND 33, NORTH LAUDERDALE", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 1, PAGE 182, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA; BOUNDED ON THE NORTH BY THE SOUTH RIGHT-OF-WAY LINE OF NORTHEAST 5TH STREET (PLATTED AS CENTRAL AVENUE) AND LYING NORTHERLY OF THE ARC OF A CIRCULAR CURVE CONCAVE TO THE SOUTH AND HAVING A RADIUS OF 35 FEET, THE RADIUS POINT OF SAID CURVE BEING LOCATED APPROXIMATELY 286 FEET SOUTH OF THE SOUTH RIGHT-OF-WAY LINE OF SAID NORTHEAST 5TH STREET, SUCH LAND BEING LOCATED IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz and Smith. NAYS: Mayor Naugle.

**Lauderdale Manors Park Modifications -
City Engineering Division (PZ Case No. 69-R-00)..... (O-2)**

At the October 18, 2000 Planning and Zoning Board regular meeting, it was recommended by a vote of 6 to 3 that the following application be approved. Ordinance No. C-00-76 was published on November 30, 2000 and December 7, 2000 and passed on first reading on December 12, 2000 by a vote of 5 to 0.

Applicant: City Engineering Division
Request: Public purpose use approval for Lauderdale Manors Park modifications
Location: 1340 Chateau Park Drive

Commissioner Moore introduced the following ordinance on second reading:

ORDINANCE NO. C-00-76

AN ORDINANCE APPROVING STRUCTURES WITHIN A PUBLIC PARK THAT DO NOT MEET THE BUFFERYARD WALL REQUIREMENTS IN A PARKS, RECREATION AND OPEN SPACE (P) ZONING DISTRICT, WHICH PARK IS LOCATED AT 1340 CHATEAU PARK DRIVE; AND GRANTING RELIEF FROM THE BUFFERYARD WALL REQUIREMENTS PURSUANT TO SECTION 47-18.26 OF THE UNIFIED LAND DEVELOPMENT REGULATIONS OF THE CITY OF FORT LAUDERDALE, FLORIDA.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

**Rezone RMM-25 to B-1 with Allocation of Flexibility/
Site Plan Approval – Sultan Family Limited Partnership (PZ Case No. 17-ZR-00) (O-3)**

At the October 18, 2000 Planning and Zoning Board regular meeting, it was recommended by a vote of 9 to 0 that the following application be approved. Ordinance No. C-00-77 was published on November 30, 2000 and December 7, 2000, and passed on first reading on December 12, 2000 by a vote of 5-0.

Applicant: Sultan Family Limited Partnership
 Request: Rezone RMM-25 to B-1 with allocation of flexibility/site plan approval
 Location: 2216 South Federal Highway

Commissioner Moore introduced the following ordinance on second reading:

ORDINANCE NO. C-00-77

AN ORDINANCE CHANGING THE UNIFIED LAND DEVELOPMENT REGULATIONS OF THE CITY OF FORT LAUDERDALE, FLORIDA, SO AS TO REZONE FROM RMM-25 TO B-1, LOT 7, BLOCK 30, "EVERGLADE LAND SALES COMPANY'S FIRST ADDITION TO LAUDERDALE FLORIDA", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 15 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, TOGETHER WITH THE APPROVAL OF A SITE PLAN ON LOTS 7 THROUGH 10 OF THE SAME BLOCK AND PLAT, LOCATED ON THE NORTH SIDE OF SOUTHEAST 23RD STREET, EAST OF SOUTHEAST 6TH AVENUE AND WEST OF MIAMI ROAD, IN FORT LAUDERDALE, BROWARD COUNTY, FLORIDA, AND AMENDING THE OFFICIAL ZONING MAP AND SCHEDULE "A" ATTACHED THERETO TO INCLUDE SUCH LANDS.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

**Rezone RD-15 to CF – Chicopee Vending Corporation/
El Tabernaculo de Cristo Pentecostal Holiness Church
 of Fort Lauderdale, Inc. (PZ Case No. 15-Z-00) (O-4)**

At the October 18, 2000 Planning and Zoning Board regular meeting, it was recommended by a vote of 5 to 4 that the following application be approved. Ordinance No. C-00-78 was published on November 30, 2000 and December 7, 2000, and passed on first reading on December 12, 2000 by a vote of 5 to 0.

Applicant: Chicopee Vending Corporation/El Tabernaculo de Cristo Pentecostal Holiness Church of Fort Lauderdale, Inc.
 Request: Rezone RD-15 to CF
 Location: Northwest corner of Southwest 14th Street and Southwest 38th Avenue

Commissioner Moore introduced the following ordinance on second reading:

ORDINANCE NO. C-00-78

AN ORDINANCE CHANGING THE UNIFIED LAND DEVELOPMENT REGULATIONS OF THE CITY OF FORT LAUDERDALE, FLORIDA, SO AS TO REZONE FROM RD-15 TO CF, LOTS 3, 4, 5 AND 6, OF BLOCK 6, OF "DAVIE BOULEVARD PARK", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 23, PAGE 6, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED BETWEEN SOUTHWEST 13TH COURT AND SOUTHWEST 14TH STREET, ON THE WEST SIDE OF SOUTHWEST 38TH AVENUE, IN FORT LAUDERDALE, BROWARD COUNTY, FLORIDA, AND AMENDING THE OFFICIAL ZONING MAP AND SCHEDULE "A" ATTACHED THERETO TO INCLUDE SUCH LANDS.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

**Transfer of Control of Cable Television Franchise
from Comcast Cablevision of Broward County, Inc. to
District Cablevision Limited Partnership, d/b/a AT&T Broadband (O-5)**

An ordinance was presented for the transfer of control of Comcast Cablevision of Broward County, Inc., the holder of a franchise granted by the City to construct, operate and maintain a cable television system over the public property of the City, to Comcast Cablevision of the South, Inc. to District Cablevision Limited Partnership, d/b/a AT&T Broadband, subject to certain conditions; authorizing the proper City officials to execute a consent to such transfer; requiring the transferee to provide a guaranty of the amended franchise agreement; and further authorizing the proper City officials to execute documents necessary to effectuate the City's consent to the transfer. Ordinance No. C-00-79 was published on November 30, 2000 and December 7, 2000, and passed on first reading December 12, 2000 by a vote of 5 to 0. (Also see Items M-5 and O-8 on this Agenda).

Mayor Naugle asked if staff had checked on the problem broadcasting Commission and advisory board meetings in the newly annexed areas. Commissioner Moore had been told by residents of Golden Heights that they could not receive the meetings. Mr. Bruce Larkin, Administrative Services Director, stated that area had been served by Comcast under the County's franchise, and he had thought the programming was available since the franchises were reassigned to the City. If not, he advised that staff would address the issue.

Ms. Cindy Stoddart, Director of Public and Government Relations for Comcast Communications, was aware of this problem. At this time, the newly annexed areas were not all currently receiving the meetings because they were served from a different "head end" in Davie. Therefore, there were a few residents of Golden Heights who were not receiving this programming. Ms. Stoddart noted that the programs could be rebroadcast as an option until the system was reconstructed.

Ms. Susan Bisno, of AT&T, said she would commit to seeing to it that this service was provided as quickly as possible. Commissioner Moore appreciated that because he felt it was important to get new residents involved in the government process.

Commissioner Smith referred to the other public access channel – Channel 3. He understood there were concerns about AT&T eliminating that channel. Ms. Bisno advised there were no plans to diminish Channel 3 coverage. She stated that there had been some changes made recently, but they only affected local programming briefly. Commissioner Smith wondered if there would be opportunities to enhance that programming. Ms. Bisno saw no reason why not. She stated that this was a very competitive field, and AT&T wanted to do everything possible to enhance programming and, therefore, its customer base.

Mayor Naugle asked if there were any plans to provide the Fox News Channel. Ms. Bisno believed AT&T Broadband provided the Fox News Channel, although Comcast did not. Commissioner Katz asked if any good faith effort had been made to address rates. Ms. Bisno said she had spoken with her superiors, and everyone was excited about serving Fort Lauderdale. She reported that the company would not raise the expanded basic and premium rates before June 25, 2001.

Commissioner Moore asked if Golden Heights was charged a different rate. Ms. Stoddard stated that the rates were different, but the differences were minimal. She explained that the issue had been complicated because a few residents of that area were served by a different “head end” than other residents of Fort Lauderdale. Ms. Stoddard said she could provide a detailed written report in this regard. She noted that those affected also did not share the same channel line-up as other customers.

Commissioner Moore introduced the following ordinance on second reading:

ORDINANCE NO. C-00-79

AN ORDINANCE APPROVING THE TRANSFER OF CONTROL OF COMCAST CABLEVISION OF BROWARD COUNTY, INC., THE HOLDER OF FRANCHISES GRANTED BY THE CITY OF FORT LAUDERDALE TO CONSTRUCT, OPERATE AND MAINTAIN A CABLE TELEVISION SYSTEM OVER THE PUBLIC PROPERTY OF THE CITY OF FORT LAUDERDALE TO COMCAST CABLEVISION OF THE SOUTH, INC. TO DISTRICT CABLEVISION LIMITED PARTNERSHIP, D/B/A AT&T BROADBAND SUBJECT TO CERTAIN CONDITIONS; AUTHORIZING THE PROPER CITY OFFICIALS TO ENTER INTO A CONSENT TO SUCH TRANSFER; REQUIRING THE TRANSFEREE TO PROVIDE A GUARANTY OF THE AMENDED FRANCHISE AGREEMENT; AND FURTHER AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE DOCUMENTS NECESSARY TO EFFECTUATE THE CITY'S CONSENT TO THE TRANSFER.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

Site Plan Approval/Modification of Yards/

Conditional Use/RMH-60 – L’Ambiance Beach Ltd. (PZ Case No. 91-R-00) (O-6)

At the October 18, 2000 Planning and Zoning Board regular meeting, it was recommended by a vote of 8 to 1 that the following applications (a and b) be approved. Ordinance No. C-00-82 was published on November 30, 2000 and December 7, 2000. On December 12, 2000, the City Commission deferred first reading of the ordinance and consideration of the resolution to December 19, 2000 by a vote of 5 to 0.

Applicant: L'Ambiance Beach, Ltd.
Request: a) Application of ULDR Section 47-26.A.1; and
b) Site plan approval/modification of yards/conditional use/RMH-60
Location: 4240 Galt Ocean Drive

Having affirmed to speak only the truth by virtue of an oath administered by the City Clerk, the following individuals offered comment on this item:

Ms. Courtney Callahan, Attorney representing the applicant, said that after the public hearing last week, it had become clear that the immediate neighbors were satisfied, but there were still some concerns. Therefore, the development team had worked with the Galt Mile Association and others in the community, but the conclusion had been reached that the building could not be altered. She explained that such measures as turning the building on the site would affect the views of the immediate neighbors, and reducing the building to 20 stories rendered the project unviable.

Ms. Callahan said it had come to her attention that there had been a failed City improvement project at the northwest corner of Oakland Park Boulevard and A-1-A called the Miles Corner Project. She understood the City had sought funding for the project from the Florida Department of Transportation (FDOT) without success. In order to be a good neighbor, the developer would provide seed money in the amount of \$200,000 for this project, which would affect the entire Galt Ocean Mile area. She stated that this amount would cover all the landscaping and pavers, and then the City might be able to obtain the balance to complete the project.

Ms. Cecelia Hollar, Construction Services Director, noted that another condition on the site plan had been raised at the last public hearing in this regard. That condition would require the designation of 25 spaces within the parking area for use by guests and service personnel.

Mr. Jon Sutz, of Galt Towers, favored the project. He submitted some written information, and he believed everyone was trying to do the right thing. Mr. Sutz questioned whether or not a community association had the right to supersede the rights of a condominium. He felt condominiums should be able to decide what was in its best interests provided it caused no harm to other buildings or the general public. Mr. Sutz thought this was the standard on which the Commission had to rely, and he did not feel approval of this project would harm other buildings or the public.

Mr. Sutz noted that the Commission would alienate one group of its constituents or another no matter what decision was made today. He displayed charts showing the approximate locations of the buildings in the immediate area, along with some views taken from various vantage points. Mr. Sutz stated that the project as proposed would preserve the views from his building, but it could have been designed in such a way as to eliminate 65% of the ocean view from his condominium structure. It would also impact the sunlight on the building's pool deck, and he encouraged the Commission to approve the site plan as presented.

Mr. Warren Hurley, Vice-President of Plaza South and a member of the Galt Mile Association, felt this building was too large for the site. He stated that this had caused a lot of hard feelings in the community, and he thought developers should just build what was allowed on a property. Mr. Hurley did not think this was the appropriate building for this property.

Mr. Richard Kraut, of the Galt Towers, stated that the residents of the Galt Towers had put their trust in their Board of Directors.

Mr. Emilio DeFilippo believed in established laws and zoning codes. He felt citizens should be able to have faith in their elected representatives, and the residents of the Galt Ocean Mile would suffer with this "monstrosity" for the rest of their lives if this project were approved.

Mr. Randy Carini favored this project. He understood that there were those who opposed this project, but they did not live next door. Mr. Carini hoped the Commission approved the project because he did not think there were many options besides a building extending from one end of the property to the other.

Mr. Don Calabrese, of the Galt Towers, believed the Commission had directed the developer to reduce this building to 20 stories at its last meeting. However, no change had been made. He did not believe a building from property line to property line could be constructed as Mr. Carini feared due to various regulations. Mr. Calabrese felt a 12-story hotel would be the most appropriate development on this site.

Ms. Raquel Pazos, of the Galt Towers, favored a luxury condominium on this site over a hotel development. She pointed out that the developer had been negotiating this project for over 2 years and had agreed to do everything the neighbors desired. Ms. Pazos hoped the Commission would approve the project as presented.

Dr. John Pescolido, of the Galt Towers, stated that the vast majority of Galt Towers residents supported this project based on the compromises reached over the past 2 years. He acknowledged that the Commission was in a difficult position, but he hoped the City Commission would support the project.

Mr. Sheldon Yusim, of the Galt Towers, acknowledged that this would be a big building, but he felt that was preferable to the current condition of the subject property. He agreed he would prefer a building not as tall, but he felt something should be done on the site.

Mr. Michael Astor distributed copies of a diagram and stated that the proposed building would be much wider than other buildings on the Galt Ocean Mile. He wanted to ensure that the beauty of the neighborhood was maintained, but this building was more than twice as tall as the Galt Ocean Towers and 75% taller than the tallest of the other buildings on the Galt Ocean Mile. Mr. Astor noted that the only buildings that were taller than the proposed building were on 400' lots, which was double the width of the subject lot. He stated that he was not opposed to development of this lot, but he was opposed to a gigantic building.

Mr. Robert Rozema, of the Galt Mile Community Association, had hoped the applicant would make some concessions as to the height of this building. He acknowledged the generous offer of the developer to provide monies for the Miles Corner Project, and it was an important project, but the Board of Directors of the Galt Mile Community Association still opposed this site plan.

Mr. Adam Libertella wished this issue would reach a conclusion after 2 years of fighting. He felt the developer had done everything possible to appease the community, and the area needed something to be done on the subject site. Mr. Libertella stated that there were only a handful of people who objected to this project, and most of them did not reside here year round. He felt a reasonable compromise had been reached, and it was time to bring this issue to a conclusion.

Ms. Callahan stated that the immediate neighbors expected only positive impacts from this development as to views and sun. She did not feel this was a large building. Ms. Callahan said that in terms of volume, this building would be the fourth smallest building on Galt Ocean Mile, even if the larger lots were taken into consideration. She pointed out that the building had been placed as far west as possible on the site, and the setbacks requested by the immediate neighbors would be provided.

Commissioner Katz understood that what was right for one group was not necessarily right for another, but she felt this was a large building. She asked the applicant if he would reduce the height of the building to 22 stories. *Mr. Morris Richter*, applicant, replied that 18 units would be lost if the building was reduced to 22 stories, and he could not do that and still have a viable project. In that case, Commissioner Katz did not feel she could support the project.

Commissioner Smith asked Mr. Richter if he could work with 23 stories. Mr. Richter stated that would result in the loss of 12 units, and he was prepared to do that. He explained that reducing the building to 23 stories would reduce the height by 19', but he would like to retain 3' for mechanical equipment. Mr. Richter agreed to reduce the height by 16', which was approximately 2 stories.

Mr. Charles Sieger, Architect representing the applicant, explained the intent was to reduce the building by 2 stories, but the extra 3' would allow for higher ceilings in order to provide some relief in terms of the economic impact of losing 12 units.

Commissioner Smith thought this compromise was as close as possible to consensus and wondered how the District Commissioner felt about it. Commissioner Katz still did not feel she could support the project. Commissioner Moore wanted to commend Mr. Richter and the community for their efforts to reach consensus. He understood 25 parking spaces would be designated for guests and service personnel, and Mr. Richter would provide \$200,000 for the Miles Corner Project. Mr. Richter asked that this amount be reduced to \$100,000. Commissioner Moore said he could support that with a 23-story building.

Commissioner Moore introduced the following ordinance on first reading:

ORDINANCE NO. C-00-82

AN ORDINANCE APPROVING THE APPLICATION OF A PRIOR ZONING REGULATION TO PERMIT PROPERTY DESCRIBED AS LOT 22, BLOCK 34, OF "GALT OCEAN MILE ADDITION NO. 2", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 58, PAGE 24, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED ON THE EAST SIDE OF GALT OCEAN DRIVE, NORTH OF NORTHEAST 41ST STREET AND SOUTH OF THE INTERSECTION OF GALT OCEAN DRIVE AND STATE ROAD A-1-A, WHICH PROPERTY IS ZONED RMH-60, TO BE USED FOR A MULTIPLE FAMILY STRUCTURE THAT EXCEEDS THE 200 FOOT LENGTH LIMITATION PURSUANT TO SECTION 47-26.A.1 OF THE UNIFIED LAND DEVELOPMENT REGULATIONS.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Moore, Hutchinson, and Smith. NAYS: Commissioner Katz and Mayor Naugle.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 00-181

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING A CONDITIONAL USE AND MODIFICATION OF YARDS FOR A CONDOMINIUM LOCATED ON THE EAST SIDE OF GALT OCEAN DRIVE, NORTH OF NORTHEAST 41ST STREET AND SOUTH OF THE INTERSECTION OF GALT OCEAN DRIVE AND STATE ROAD A-1-A.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Moore, Hutchinson and Smith. NAYS: Commissioner Katz and Mayor Naugle.

**Amend Ordinance No. C-00-62 – Section 6-4 -
Dogs on the West Side of State Road A-1-A During Specified Hours (O-7)**

An ordinance was presented amending Ordinance No. C-00-62, pertaining to Section 6-4(b)(6) of the Code of Ordinances of the City, to extend the trial period permitting dogs, during specified hours and with proper permit, on sidewalks and public property on the west side of those portions of State Road A-1-A, south of Sunrise Boulevard and adjacent to the sandy beach. Ordinance No. C-00-80 was published on December 2, 2000, and passed on first reading December 12, 2000 by a vote of 4 to 1 (Moore).

Commissioner Moore introduced the following ordinance on second reading:

ORDINANCE NO. C-00-80

AN ORDINANCE AMENDING ORDINANCE NO. C-00-62, PERTAINING TO SECTION 6-4(b)(6) OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, TO EXTEND THE TRIAL PERIOD PERMITTING DOGS, DURING SPECIFIED HOURS AND WITH PROPER PERMIT, ON SIDEWALKS AND PUBLIC PROPERTY ON THE WEST SIDE OF THOSE PORTIONS OF STATE ROAD A-1-A SOUTH OF SUNRISE BOULEVARD AND ADJACENT TO THE SANDY BEACH.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

**Amend Chapter 25, “Streets and Sidewalks” – Rights-of-Way
Administration and Telecommunications and Open Video System Facilities..... (O-8)**

An ordinance was presented amending Chapter 25, “Streets and Sidewalks,” of the Code of Ordinances of the City, by amending Article III, “Rights-of-Way Administration,” providing definitions and amending definitions, revising registration and permit fee requirements, addressing construction in and use of the rights-of-way, incorporating insurance requirements and modifying indemnification provisions to comply with State law; and by amending Article IX, “Telecommunications and Open Video System Facilities,” providing definitions and amending definitions, revising provisions concerning use agreements, fees, records, and other general requirements applicable to providers of telecommunication systems, communication systems, open video systems, and private communication systems whose facilities occupy the rights-of-way to comply with State law. Ordinance No. C-00-81 was published on December 2, 2000, and passed on first reading December 12, 2000 by a vote of 5 to 0. (Also see Items M-5 and O-5 on this Agenda).

Commissioner Moore introduced the following ordinance, as revised, on second reading:

ORDINANCE NO. C-00-81

AN ORDINANCE AMENDING CHAPTER 25, “STREETS AND SIDEWALKS” OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, BY AMENDING ARTICLE III, “RIGHTS OF WAY ADMINISTRATION,” PROVIDING DEFINITIONS AND AMENDING DEFINITIONS, REVISING REGISTRATION AND PERMIT FEE REQUIREMENTS, ADDRESSING CONSTRUCTION IN AND USE OF THE RIGHTS OF WAY, INCORPORATING INSURANCE REQUIREMENTS AND MODIFYING INDEMNIFICATION PROVISIONS TO COMPLY WITH STATE LAW; AND BY AMENDING ARTICLE IX, “TELECOMMUNICATIONS AND OPEN VIDEO SYSTEM FACILITIES,” PROVIDING DEFINITIONS AND AMENDING DEFINITIONS, REVISING PROVISIONS CONCERNING USE AGREEMENTS, FEES, RECORDS, AND OTHER GENERAL REQUIREMENTS APPLICABLE TO PROVIDERS OF TELECOMMUNICATIONS SYSTEMS, COMMUNICATIONS SYSTEMS, OPEN VIDEO SYSTEMS AND PRIVATE COMMUNICATIONS SYSTEMS WHOSE FACILITIES OCCUPY THE RIGHTS OF WAY TO COMPLY WITH STATE LAW.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

**Plat Approval –
“Carosella Plat” – 19th Street Investors (PZ Case No. 19-P-00) (R-1)**

At the November 15, 2000 Planning and Zoning Board meeting, it was recommended by a vote of 8 to 0 that the following application be approved.

Applicant: 19th Street Investors, Inc.
Request: Plat approval
Location: East side of Federal Highway between Northeast 16th Court and Northeast 19th Street

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 00-182

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA APPROVING A PLAT KNOWN AS "CAROSELLA PLAT".

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

Dedication of Right-of-Way - Fort Lauderdale Transportation Management Association (TMA) – Construction of Bus Shelters (R-2)

A resolution was presented authorizing the conversion of City-owned, fee simple property to public right-of-way for the construction of three (3) bus shelters by TMA. (Also see Item M-20 on this Agenda).

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 00-183

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, DEDICATING CERTAIN LANDS, AS MUNICIPAL PUBLIC RIGHT OF WAY AND ACCEPTING SUCH DEDICATION ON BEHALF OF THE PUBLIC.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

Collective Bargaining Agreement – Fraternal Order of Police (FOP) Lodge 31 (R-3)

A resolution was presented authorizing the proper City officials to execute the collective bargaining agreement with the Fraternal Order of Police, Lodge 31, for a term of three years.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 00-184

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A THREE-YEAR COLLECTIVE BARGAINING AGREEMENT WITH FORT LAUDERDALE POLICE LODGE #31, FRATERNAL ORDER OF POLICE.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

Amendment to Resolution Appointing Squire, Sanders and Dempsey, and Steven Bullock P.A. – Sanitation Revenue Bonds, Series 2000 (R-4)

A resolution was presented providing compensation for additional services for Squire, Sanders and Dempsey, and Steven Bullock P.A. in connection with the issuance of the Sanitation Revenue Bonds, Series 2000.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 00-185

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, PROVIDING FOR AN INCREASE IN THE COMPENSATION PAID TO SPECIAL COUNSEL SQUIRE, SANDERS & DEMPSEY L.L.P.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

Advisory Board Appointments (OB)

The City Clerk announced the appointees/reappointees who were the subjects of this resolution:

Board of Adjustment	Michael Ferber, Alternate
Economic Development Advisory Board	Eason Dobbs
Northwest/Progreso/Flagler Heights CRA Advisory Board	Tim Hernandez
Unsafe Structures and Housing Appeals Board	David Svetlick

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 00-186

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPOINTING BOARD MEMBERS AS SET FORTH IN THE EXHIBIT ATTACHED HERETO AND MADE A PART HEREOF.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

At 8:40 P.M., Mayor Naugle adjourned the meeting.

Jim Naugle
Mayor

Lucy Masliah
City Clerk